



JC03 Rec'd PTO 15 SEP 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Confirmation No.: 6969

Del Soldato *et al.*

Group Art Unit: Unknown

Application Serial No.: 10/522,986

Examiner: Unassigned

Filed: February 2, 2005

Attorney Docket No.: 026220-00061

For: Process for Preparing Nitrooxyalkyl Substituted Esters of Carboxylic Acids, Intermediates Useful in Said Process and Preparation Thereof

September 15, 2005

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Mail Stop MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Missing Requirements dated August 8, 2005, the applicants respectfully submit:

- 1) a Declaration with the signatures of inventors Giancarlo SANTUS and Francesca BENEDINI. The signature of Piero DEL SOLDATO is missing as he refuses to join in the application (Piero DEL SOLDATO is a non-signing inventor);
- 2) a Petition under 37 C.F.R. §1.47(a);
- 3) a check that includes the \$65.00 surcharge for submitting a late oath or declaration; and
- 4) a copy of the Notification of Missing Requirements.

In the event that this response is not timely filed, the applicants hereby petition for an appropriate extension of time. The fee for this extension, along with any additional fees required with respect to this response, may be charged to Deposit

09/20/2005 GFREY1 00000072 10522986

RPP/127959.1

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Application Serial No.: 10/522-986
Inventor(s): Del Soldato et al
Attorney Docket No.: 026220-00061

Account No. 01-2300, referencing Attorney Docket No. 026220-00061. The Commissioner is also authorized to credit any over-payments to Deposit Account No. 01-2300, referencing Attorney Docket No. 026220-00061.

Respectfully submitted,

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/GP



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
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 Alexandria, Virginia 22313-1450
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/522,986	Piero Del Soldato	026220-00061

INTERNATIONAL APPLICATION NO.
PCT/EP03/08700

LA. FILING DATE	PRIORITY DATE
08/06/2003	08/29/2002

4372
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 WASHINGTON, DC 20036

CONFIRMATION NO. 6969

371 FORMALITIES LETTER



OC000000016619713

Date Mailed: 08/08/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 02/02/2005
- Copy of the International Search Report filed on 02/02/2005
- Preliminary Amendments filed on 02/02/2005
- Request for Immediate Examination filed on 02/02/2005
- U.S. Basic National Fees filed on 02/02/2005
- Priority Documents filed on 02/02/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/522,986	PCT/EP03/08700	026220-00061

FORM PCT/DO/EO/905 (371 Formalities Notice)